IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

Bail Appl..No. 7273 of 2006()

CRIME NO.6/2002 OF IRINJALAKKUDA POLICE STATION

PETITIONER/ACCUSED

M.G.PREMA, AGED 43,
D/O.MUKKULAM VEETTIL GOPALAN,
PULLUR, IRINJALAKUDA.

BY ADV. SRI.T.M.CHANDRAN
SRI.V.A.SASIDHARAN

RESPONDENTS: COMPLAINANT AND STATE

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1. SUB INSPECTOR OF POLICE,
IRINJALAKUDA POLICE STATION, IRINJALAKUDA.

2. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7273 of 2006

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Dated this the 7th day of December, 2006.

ORDER

Petitioner, who was the sole accused in Crime No.6 of 2002 of Irinjalakkuda Police Station for offences punishable under Sections 409 and 420 I.P.C. (originally registered under Section 472 Cr.P.C.), seeks anticipatory bail. The case was tried before the J.F.C.M., Irinjalakkuda as C.C.No.1007 of 2002 for offences punishable under Sections 472, 406 and 420 I.P.C. It is alleged that during trial of the said case, the Magistrate had ordered further investigation under Section 173(8) Cr.P.C. and thereafter the petitioner is apprehending the arrest by the Irinjalakkuda Police.

2. The learned Public Prosecutor on instructions submitted that further investigation is ordered due to the alleged involvement of the petitioner's husband as well and that further investigation is being proceeded with. The petitioner was on bail while she faced the trial before the Magistrate. Hence, there is no reason why the petitioner should not be granted anticipatory bail. Accordingly, a direction is issued to the Investigating Officer to release the petitioner on bail in the event of her arrest in connection with the above crime on her

executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. The petitioner shall make herself available for interrogation as and when required by the Investigating Officer.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall she attempt to tamper with the evidence for the prosecution.

3. Petitioner shall not commit any offence while on bail.

4. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to her shall be liable to be cancelled. It is made clear that since the petitioner is a lady, the Police shall not summon her to the Police Station for the purpose of interrogation.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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